

UNITED STATES DISTRICT COURT

Northern District of California

San Francisco Division

ISAIAH N. WILLIAMS,

No. C 07-04464 CW (LB)

Plaintiff,

ORDER

v.

D. WILLIAMS,

Defendant.

In this civil rights case by a prisoner against a guard, there is an issue about missing photographs that were referenced in the incident report and security camera footage that has been overwritten. *See* 2/4/13 Joint Letter Brief, ECF No. 116 at 2 n.1 (preserving right to raise issue later). Defendant's counsel has represented that "counsel for the CDCR" has said that (a) the tape was overwritten and (b) the photographs "are not available" and "does not represent that the photographs were purged. Joint Statement, ECF No. 127 at 6. At the case management hearing, Judge Wilken directed the parties to raise evidence preservation issues and any instruction on spoliation to the undersigned. RT 3/20/13, ECF No. 137, at 12:1-12.

The court sets a case management conference for April 4, 2013, at 9:30 a.m. Counsel may participate by CourtCall.

IT IS SO ORDERED.

Dated: April 1, 2013



LAUREL BEELER
United States Magistrate Judge